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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,313	06/22/2001	Jean-Christophe Denis Bandini	TUMB-102CIP	7984

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PATENT DEPARTMENT
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
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EXAMINER

CALLAHAN, PAUL E

ART UNIT PAPER NUMBER

2137

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/887,313

Applicant(s)

BANDINI ET AL.

Examiner

Paul Callahan

Art Unit

2137

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 3-28-06 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): The rejections of claims 13-15 are overcome by the amendment.
6. ☒ Newly proposed or amended claim(s) 13-15 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 13-15.
Claim(s) objected to: _____.
Claim(s) rejected: 8-10.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landfield '011 in view of Kent: "Privacy Enhancements for Internet Electronic Mail"

As for claim 8, Landfield teaches a e-mail filtering method (abstract) comprising: a security manager receiving a plurality of e-mail messages from a remote network, (col. 4 lines 52-56), the plurality of e-mail messages including at least a first email message associated with a first recipient identifier and a second e-mail message associated with a second recipient identifier, the first and second recipient identifiers associated with different users (fig. 1 items 28 and 16, col. 2 line 60 through col. 3 line 6, fig. 2C: element 56). Kent teaches the features not found in Landfield, namely: the e-mail message including signature data (page 4 paragraphs 3-4), the security manager extracting the signature data from the first and second e-mail messages (page 4 paragraphs 3-4), verifying the signature data by accessing a signature verification server (page 4, paragraphs 3-4), the security manager transmitting the e-mail message to at least one recipient identifier by employing an e-mail transmission protocol in response to at least a first predetermined result of said verifying of said first signature data and transmitting the e-mail message to said second recipient identifier by employing an e-mail transmission protocol in response to a least a first predetermined result of said verifying the second signature data (page 4 paragraphs 3-4). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these features of Kent into the system of Landfield. It would have been desirable to do so as such signature verification would increase the security of the e-mail transmission.

As per claims 9, and 10, Landfield does not teach determining if a signature is required for the received e-mail message by applying a signature policy; retrieving a signing certificate for the message by applying a signature policy; applying the retrieved signing certificate to the message; and forwarding the message; for further processing by the e-mail firewall. Kent however, does teach these features in page 4 paragraphs 1-4. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate these features of Kent into the system of Landfield. It would have been desirable to do so as the use of a certificate server would increase the security of the system by allowing verification of user's public keys.

Paul Cullahan
4-3-06